IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9364 OF 2003

B.A.Azevedo & 22 Ors. ...Petitioners
Vs.
The Administrator & 2 Ors. ...Respondents

Mr. G.S.Walia i/b. Mr. Rahul G. Walia for Petitioners
Mr. G.S.Kulkarni for Respondent Nos.1 to 3

CORAM: H.L.GOKHALE &
S.P.KUKDAY,JJ.
DATED: 9TH JUNE, 2005

P.C.

. Heard Mr. Walia in support of this Petition. Mr. Kulkarni appears for Respondents. The Petition seeks to challenge the order dated 29th July,2003 passed by the Ministry of Home Affairs. It is passed subsequent and consequent upon the decision of this Court dated 6th March, 2003 in Writ Petition No.3775 of 2000. This order itself provides that the Petitioners were expected to make a representation to the Central Government and in the event the representation was to be decided against the Petitioners, they were expected to approach the Administrative Tribunal. That is specifically stated in paragraph no. 3(iii) of the order of the Division Bench in Petition No.3775 of 2000. Mr. Walia appearing for the Petitioners submits that inspite of that the present Writ Petition be maintained in this Court. We cannot do the same and entertain this Petition. It will be open to the Petitioners to move Administrative Tribunal which they

may do so at the earliest. They may as well point out the fact that this Petition was filed in this Court and that the delay on account thereby be condoned. As stated above we expect the Central Government to take a view sympathetically for condonation when application is filed. Petition stand disposed of accordingly.

(H.L.GOKHALE,J.)

(S.P.KUKDAY,J.)